

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
07/18/2001

07/17/2001

CLERK OF THE COURT
FORM R105B

HONORABLE JAMES PADISH

E. Canas
Deputy

CR 2001-007423

FILED: _____

STATE OF ARIZONA

SARAH J COHEN

v.

PHILLIP ROBERT MCILVEEN

CHRISTOPHER S HILDEBRAND

APO-PLEAS-CCC
JUDGE CATES
VICTIM WITNESS DIV-CA-CCC

PLEA AGREEMENT/CHANGE OF PLEA

10:15 a.m. State is represented by Ryan Toftoy for above-named counsel. Defendant is present and represented by above-named counsel.

Court Reporter, Laurie Adams, is present.

Executed Plea Agreement is presented to the Court and reviewed with Defendant. Defendant states true name is as noted in the agreement.

The Court advises the Defendant as to the range of possible sentences for the offense, including whether or not probation is available and any other conditions imposed by statute, including special requirements for probation, if available. The Court further advises the Defendant as to all constitutional rights waived by the Plea Agreement.

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The Court further advises the Defendant that by entering into a plea agreement that he/she waives the right to have the Arizona Court of Appeals review the proceedings by way of a direct appeal, and may seek review only by filing a Petition for Post Conviction Relief, pursuant to Rule 32 within 90 days of entry of judgment and sentencing.

Upon inquiry, the Court finds that the Defendant desires to forego the constitutional rights, that the plea of:

GUILTY is made knowingly, intelligently and voluntarily, not the result of force, threats or promises; that there is a factual basis for the plea; and that the Defendant understands the range of sentences and other penalties available.

The Defendant enters a plea of Guilty to the following crime(s):

OFFENSE: **Count I: Possession of Narcotic Drugs**, a class 4 felony, nondangerous and nonrepetitive offense in violation of A.R.S. Sections 13-3401, 3408, 3418, 701, 702, 702.01, 801 committed on 02/10/1999.

The plea of the Defendant is accepted and entered of record.

IT IS ORDERED setting time for entry of judgment of guilt and sentencing on **August 20, 2001 at 8:30 a.m. before Judge Cates.**

IT IS FURTHER ORDERED that a presentence investigation and report be made and that the Defendant, if not in custody, shall immediately report to the Adult Probation Department.

ISSUED: Request for Presentence Report (Green Slip).

IT IS FURTHER ORDERED that the motion to dismiss count 2 and allegation of prior felony convictions and that defendant

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was on probation at the time of the offense as reflected in the
Plea Agreement, will be deemed submitted at the time of
sentencing.

IT IS FURTHER ORDERED affirming prior release orders.

IT IS FURTHER ORDERED vacating any pending dates.

FILED: Plea Agreement.

10:30 a.m. Matter concludes.